

The London Times on the Mason-Siddall Science

It requires a strong effort of self-restraint to discuss with coolness the intelligence we publish to-day. An English mail steamer sailing under the British flag and carrying letters and passengers from a Spanish port to England, has been stopped on the high seas and over-

hauled. Four of the passengers have been taken out and carried off as prisoners, claiming and vainly claiming as they were being forced away, the protection of the flag of Great Britain. These are the naked facts.

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It is then true that every officer of the American Navy can stop and overhaul our ships wherever they may be found, and can take out of them any persons whom he may claim to be citizens of the United States or officer of the Confederate Government? If we were to admit the Federalism of their own position, it

They tell us that they are not at war but are only putting down a rebellion. They say, or said that they are not blockading their own ports but are simply enforcing a law which has closed the Southern ports as

ports of entry. They insist upon putting their quarrel upon the same ground as if the Queen of England were putting down a rebellion in the Isle of Wight. Now if this were so, it is clear that the Federal States of America have in stopping our mail steamer been guilty

They would according to that point of view not be at

over neutrals. They would no more be belligerents than England was after the celebrated Smith O'Brien battle in the cabbage garden, and they would have no more right to stop our ships and carry off our passengers than we should have had to stop a French ship.

and take Mr. Smith O'Brien out of her. But this assumption of the Federal Government has been disallowed.

The world generally has refused to see in this disruption, and re-construction of the North American Re-

public a mere rebellion. They have regarded both republics as belligerent States. We declare neutrality between them as two warring powers. We note out a precise degree of equal consideration for the ships of war of each. In everything but our supremacy we are ourselves completely equal between them. Whenever

Unwelcome as the truth may be, it is nevertheless a

truth that we have ourselves established a system of international law which no v tells against us. In a high-banded and almost despotic manner, we have in former days claimed privileges over neutrals, which have at different times banded all the maritime powers of the

ships of war of neutral nations, and taking British subjects out of them; and an instance is given by Jefferson in his memoirs, in which two nephews of Washington were impressed by our cruisers, as they were returning from Europe, and placed as common seamen, under

We have always been the strenuous asserters of the right of belligerents over neutrals, and the decisions of our Courts of law as they must now be cited by our law officers, have been in confirmation of these unreasonable

claims which have called into being Confederates and armed neutralities against us and which have always been modified in practice when we were not supreme in our dominion at sea. Owing to these facts, the authorities which may be cited on this question are too nu-

mercous and too uniform as the right of search by belligerent ships-of-war over neutral merchant vessels to be disputed. "The only security that nothing is to be found inconsistent with amity and the law of nations, known to the law of nations," said Lord Stowell, in the celebrated case of *Margu*, "is the right of personal visitation

Again, Lord Stowell, who is the storehouse of all the English law on this subject, says: "Be the ships, the cargoes, and the destination what they may, the right of search to be exercised by those who have an interest in making it."

visit and search are the incontestable right of the cruisers of a belligerent nation. 'Til they are visited and searched, it does not appear what the ships or the destination are, and it is for the purpose of ascertaining these points that the necessity of this right of visitation and search exists.

search exists. This right is so clear in principle that no man can deny it who admits the rights of maritime capture; because if you are not at liberty to ascertain by sufficient enquiry whether there is property that can be legally captured, it is impossible to capture. The many European treaties which refer to this right, refer

The great American authority, Kent, treating upon the same subject in his Commentaries, says :

"The duty of self-preservation gave to belligerent nations the right. The doctrine of the English Admiralty Courts on the right of visitation and search, and on the limitation of the right, has been recognized in its fullest extent by the courts of justice in this country."

We do not say that there is any provision in the law of nations which will entitle us to maintain that their

If we had recognised the Confederate States we apprehend that we should have been perfectly justified in

But, even if it were necessary to admit that these gentlemen were in a belligerent or contraband character on board the English vessel, it is we believe that

opinion of every eminent jurist that this was not a question to be adjudicated on by a naval officer and four boats' crews. 'The legal course would have been to take the ship itself into port, and to ask for her condemnation, or for the condemnation of the passengers, in a

Court of Admiralty. The result might, no doubt, have been the same; but if the proceeding was irregular we should have surely a right to demand that these prisoners shall be restored.

When such tremendous interests are at stake we feel

flame the general indignation which will be felt in these islands as the news is told. We cannot yet believe, although the evidence is strong, that it is the fixed determination of the government of the Northern States to

On the other hand, we appeal to the reasonable men

of the Federal States—and they have some reasonable men among them—not to provoke war by such acts as these. It is and always has been vain to appeal to fools and bygone authorities in justification of acts which every Englishman and every Frenchman cannot but feel

Even Mr. Seward himself must know that the voice of these Southern Commissioners, sounding from their captivity, are a thousand times more eloquent in London and Paris than they would have been if they had been heard at St. James and the Tuilleries. Question

of this kind in countries where the people exercise power pass but too quickly out of the hands of lawyers and statesmen, and give irresistible power to neither the wisest nor the most peace-loving members of a community.

FINDING THEIR LEVEL.—Mr. Lincoln, in his late message, recommends the recognition of Hayti and Liberia, and the establishing of friendly intercourse with them. Congress will doubtless respond, and then we shall soon see Sambo and Dinah elegantly installed.

Washington, the odoriferous associates of the wives and daughters of the Lincoln ministry. Well if it is to their taste, we say let them enjoy it.

Savannah Republican.

RESIGNATIONS IN THE ARMY.—We learn that the War Department has determined to adopt the uniform rule of refusing to accept the resignations of commissioned officers in the army, unless on evidence of disability, furnished in a surgeon's certificate, or for special reasons within the discretion of the Secretary of War.

Persons within the discretion of the Secretary of War

